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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

ATTY.'S DOCKET: Takahashi=30

In re Application of:)	Art Unit:	
)		
Kojiro TAKAHSHI et al)	Examiner:	
)		
I.A. No.: PCT/JP00/03000)	Washington, D.C.	RECEIVED
)		
I.A. Date: May 10, 2000)	Confirmation No.	05 APR 2002
)		
For: METHODS FOR CONSTRUCTING)	January 11, 2002	INTERNATIONAL OFFICE
DNA LIBRARY AND SUPPORT)		
CARRYING DNA LIBRARY...)		

PETITION TO REVIVE UNDER 37 C.F.R. §1.137(a)

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §1.137(a), applicants hereby petition the Commissioner for Patents to revive the above-identified application for entry into the U.S. National stage on the grounds that the delay which caused the abandonment was unavoidable.

A grantable petition pursuant to this section must be accompanied by

(1) the required Reply, in this case the papers necessary to enter the U.S. National stage;

(2) the petition fee as set forth in §1.17(1);

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(3) a showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply till the filing of a grantable petition pursuant to this section was unavoidable; and

(4) any Terminal Disclaimer which might be required by 37 CFR 1.137(d).

(1) The reply, i.e. the papers necessary to enter the U.S. National Stage, are attached including the transmittal letter, a preliminary amendment, an English translation of the specification as filed, and courtesy copies of the drawings, first page of International publication, the International search report and the IPER without annexes in Japanese.

(2) The petition fee in the amount of \$110.00 as required by 37 CFR 1.17(1) is included as part of the payment authorized in the Credit card authorization form PTO-2038 attached hereto. If any additional fee is needed, please charge same to deposit account 02-4035.

(3) All of the facts, establishing the delay in entering the U.S. National stage which caused abandonment was

unavoidable and that the present petition to revive is reasonably promptly filed in view of the totality of the circumstances, are set forth below.

Undersigned hereby declares that all statements made below as to the facts of the unavoidable abandonment of his own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements more made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The present application was forwarded to the office of undersigned by letter dated October 19, 2001, to which was attached all the associated papers, ordering timely entry into the U.S. National stage, and these documents were not received in the office of undersigned until January 4, 2002. A copy of the letter of October 19, 2001, showing our date stamp of January 4, 2002, is attached herewith.

The original of such paper is slightly yellowed as are all of the copies attached thereto, suggesting that such papers were subject to anthrax decontamination. In this regard, it is to be noted that the office of undersigned is in zip code 20001, which is a zip code within the jurisdiction of

the Brentwood postal facility which was closed due to anthrax contamination.

As the order letter and attachments to the enter the US national stage for the above-identified application were held up by the United States Postal Service, and applicants' U.S. attorneys did not receive the order letter and attachments until after the due date, these facts establish that the delay in entering the US national stage was unavoidable.


(4) No Terminal Disclaimer is necessary as the circumstance dictated by 37 CFR 1.137(d) do not exist.

Accordingly, as all of the requirements of 37 CFR 1.137(a) have been met, revival of the above identified application for purposes of entry into the U.S. National stage is earnestly solicited.

Respectfully submitted,

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By


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